

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ALEX GOLDFARB,

Plaintiff,

v.

CHANNEL ONE RUSSIA,

Defendant.

Case No. 1:18-cv-08128 (JPC)

**DECLARATION OF KENDALL WANGSGARD
IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

I, Kendall Wangsgard, Esq., pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am Counsel at the firm of Baker Hostetler LLP, attorneys for defendant Channel One Russia ("Channel One") in the above-captioned matter. I have entered an appearance as counsel of record in this matter. Given my position, I have personal knowledge of the information addressed herein. I am authorized to make this declaration on behalf of Channel One in support of its motion for summary judgment.

2. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the transcript of the deposition of Alex Goldfarb, held on March 4, 2022.

3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from the transcript of the deposition of Natalia Nikonova, held on February 16, 2022.¹

4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the transcript of the deposition of Dmitry Borisov, held December 27, 2021, and continued on January 27, 2022.

¹ The transcripts of Channel One's witnesses (Nikonova, Borisov, and Pimanov) reflect a "Confidential" designation under the Protective Order, ECF No. 90. Channel One has subsequently withdrawn that designation.

5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the transcript of the deposition of Alexey Pimanov,² held on March 21, 2022.

6. Attached hereto as **Exhibit 5** is a true and correct copy of relevant portions of Plaintiff's Interrogatory Responses dated September 3, 2021, and produced during discovery in this matter.

7. Attached hereto as **Exhibit 6** is a true and correct copy of Exhibit B to the deposition of Alex Goldfarb, which is a *Harvard Crimson* article from October 30, 1975, and titled "Soviet Dissident Credits Westerners for His Emigration." Four pages of unrelated advertisements have been excluded.

8. Attached hereto as **Exhibit 7** is a true and correct copy of Exhibit G to the deposition of Alex Goldfarb, which is an Internet blog post made by Plaintiff and dated July 29, 2018. The title of the post is "Court news from New York. #4. Libel laws and how we will defeat the zombie box" and it originally appeared in the Russian language. Exhibit 7 contains a certified English translation in addition to the original Russian.

9. Attached hereto as **Exhibit 8** is a true and correct copy of pages produced in discovery by Plaintiff bearing Bates stamp G 000649-651. This is a September 28, 2018, *Washington Post* Opinion piece authored by Plaintiff and titled "I'm a critic of Putin's regime. Russian state TV is accusing me of murder."

10. Attached hereto as **Exhibit 9** is a true and correct copy of relevant portions of Defendant's Interrogatory Responses dated February 7, 2022, and produced during discovery in this matter.

² Mr. Pimanov's name is spelled phonetically as "Aleksej Pimonov" in the transcript.

11. Attached hereto as **Exhibit 10** is a true and correct copy of Exhibit F to the deposition of Alex Goldfarb, which is an Internet blog post made by Plaintiff and dated July 25, 2018. The title of the post is “Court news from New York. Issue #3. The trail of Chameleon Grandpa” and it originally appeared in the Russian language. Exhibit 10 contains a certified English translation in addition to the original Russian.

12. With the complaint, Exhibits 2 and 3, Plaintiff included only a portion (beginning at minute 27:00) of the “Let Them Talk” program dated April 10, 2018. In discovery, Channel One produced an English-language transcript of the full program, and the remaining portion covering minute 00:00-27:00 and bearing the Bates stamps COR_000147-167 is attached hereto as **Exhibit 11**.

13. Attached hereto as **Exhibit 12** is a true and correct copy of Exhibit J to the deposition of Alex Goldfarb, which is an Internet blog post made by Plaintiff and dated December 2, 2019. The title of the post is “Court news from New York. #19. Let’s hit the propaganda with a lawsuit!” and it originally appeared in the Russian language. Exhibit 12 contains a certified English translation in addition to the original Russian.

14. Attached hereto as **Exhibit 13** is a true and correct copy of a GoFundMe home webpage maintained by Plaintiff in the English language. It is available at <https://www.gofundme.com/f/suing-russian-propaganda-tv>.

15. Attached hereto as **Exhibit 14** is a true and correct copy of a home GoFundMe webpage maintained by Plaintiff in the Russian language. It is available at <https://www.gofundme.com/f/dv7a2>. Exhibit 14 contains a certified English translation in addition to the original Russian.

16. Attached hereto as **Exhibit 15** is a true and correct copy of Exhibit E to the Deposition of Alex Goldfarb, which is an Internet blog post made by Plaintiff and dated June 19, 2018. The title of the post is “We are going to take Channel One and RT to court” and it originally appeared in the Russian language. Exhibit 15 contains a certified English translation in addition to the original Russian.

17. Attached as **Exhibit 16** is a true and correct copy of email correspondence from Bertrand Sellier, counsel for Plaintiff in this matter, to me with the subject “Plaintiff’s medical records” and dated January 29, 2022.

18. With the complaint, Exhibits 2 and 3, Plaintiff included only a portion (beginning at minute 32:43) of the “Let Them Talk” program dated April 4, 2018. In discovery, Channel One produced an English-language transcript of the full program, and the remaining portion covering minute 00:00-32:43 and bearing the Bates stamps COR_000123-139 is attached hereto as **Exhibit 17**.

19. Attached as **Exhibit 18** is a true and correct copy of a news article published by RIA Novosti on January 22, 2016, and titled “Peskov: The Litvinenko case is feeding anti-Russian hysteria.” The article is available at <https://ria.ru/20160122/1363504148.html> and originally appeared in the Russian language. Exhibit 18 contains a certified English translation in addition to the original Russian.

20. Attached as **Exhibit 19** is a true and correct copy of a news article published by the TASS News Agency on January 21, 2016, and titled “Kremlin Does Not Perceive Litvinenko Death Investigation Results as Verdict.” The article is available at <https://tass.com/politics/851376>.

21. Attached as **Exhibit 20** is a true and correct copy of a news article published by RT on January 23, 2007, and titled “One third of Russians consider Litvinenko case provocation: opinion poll.” The article is available at <https://www.rt.com/news/one-third-of-russians-consider-litvinenko-case-provocation-opinion-poll/>.

22. Attached as **Exhibit 21** is a true and correct copy of a news article published by Reuters on November 30, 2015, and titled “Russia Bans George Soros Foundation as State Security Threat.” The article is available at <https://www.reuters.com/article/russia-soros-idusl1n13p22y20151130>.

23. Attached as **Exhibit 22** is a true and correct copy of a press release issued by the Embassy of the Russian Federation to the United Kingdom on March 16, 2017, and titled “Why Are Fugitives From Justice Welcome in the UK?” The press release is available at <http://www.rusemb.org.uk/fnapr/6008>.

24. Attached as **Exhibit 23** is a true and correct copy of pages produced in discovery by Plaintiff bearing Bates stamp G 000711-723. This is an April 24, 2021, publication by Radio Liberty titled “‘Goldfarb Versus Channel One.’ A Case of Kremlin Propaganda” that originally appeared in the Russian language. Exhibit 24 contains a certified English translation in addition to the original Russian.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Washington, DC
May 31, 2022



Kendall E. Wangsgard